

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133994/FH/2022

Date registered valid: 8 June 2022

Proposal: Erection of a single storey side and rear extension to form additional living accommodation and associated external works

Address: 92 Fog Lane, Manchester, M20 6AG

Ward(s): Didsbury East Ward

Applicant: Mrs Lowery 92 Fog Lane, Manchester, M20 6AG

Agent (if any): Mr John Allen Andrew Wallace Architects The Old Bakery, Vicker Grove, Manchester, M20 1LJ

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 2 August 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29th July 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 10 June 2022 Expired: 1 July 2022

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The property that is the subject of this householder application is identified as 92 Fog Lane in the Didsbury East ward of the City. It is a 2 storey red brick semi- detached villa currently in use as a single family dwellinghouse. It has bay windows to the ground and first floors with dormers accommodating a further floor within the roof space. The boundary to the front and rear comprises of wall and hedges behind, high brick wall to the rear bordering Beaver Road and timber post and panel fence between the properties. The house sits on a large plot with a larger than average sized rear garden. It would appear that the original single storey feature on the rear has historically been reduced by half, this would have run across the full width of the property, running across the other half of the semi -detached property, an original feature that is apparent on the neighbouring properties.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential with properties of a similar size footprint and age to the proposal site. To the far north of the site lies Fog Lane Park.

Description of development

The proposal is for the erection of a flat roof single storey side and rear extension following the demolition of the existing remaining part of the single storey rear element to create additional residential accommodation in the form of WC, Boot room/ storage and a dining area to serve the open plan kitchen. The extension to the side is only slim measuring 1.24 m in width. It is set

three quarters of the way back from the front down the side. It would run for 6.31m. This then returns along the rear for 6.05m and has a projection from the rear of 4.17m. It would be of a flat roof construction with a rooflight set within the flat roof. The extension will have a maximum height of 2.73m.

Given the change in floor levels there are external stone tiled steps proposed. There would be a large projecting fixed window in the eastern elevation that sits proud, aluminium sliding doors in the rear elevation and new door in western elevation accessed from a stepped entrance with balustrade.

There are 2 Velux rooflights proposed within the rear and 2 proposed in the front roof- slope of the original roof.

Consultations & Notification Responses

Local Residents-were informed, no representations have been received.

Issues

Policy

Relevant policy to this application is contained in the NPPF (2021) and Core Strategy policies DM1 and SP1.

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time.

to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Core Strategy policy DM1 indicates all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Core Strategy policy SP1 states that the key spatial principles which will guide the strategic development of Manchester to 2027 include: the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

Development in all parts of the City should make a positive contribution to neighbourhoods of choice including: creating well designed places that enhance or create character; making a positive contribution to the health, safety and wellbeing of residents considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income; protect and enhance the built and natural environment.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

Unitary Development Plan

Policy DC1 of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

Policy DC1.2 states extensions will be allowed subject to:

- a. They are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings)
- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking

Issues

The principle of extending a residential property in an established residential area is considered acceptable. Many householders prefer to extend the existing property to meet changing household needs rather than move to new accommodation. This is subject to further consideration of the impacts of proposals on residential amenity and the character of the area.

Residential Amenity - The proposals are located to the side and rear of the property and would project sideways from the existing side wall by 1.24m. The rearward projection is longer than that generally accepted under policy DC1 (3.65 metres) at 4.17m but in this instance a similar projection on the boundary with the adjoining property could be constructed under the prior approval process for larger householder extensions and in the absence of objection as is the case in this instance would be acceptable.

The proposals incorporate a protruding window on the return wall of the extension, this however is some 4m from the common boundary with the attached property at number 94 Fog Lane. There is roof light in the flat roof over the dining area to provide additional lighting, and 2 Velux rooflights over the front and 2 over the rear within existing roof slopes to provide additional natural lighting. There would be no view into or out of the rooflights that would be considered to impact on the neighbouring properties.

Character of the Area - Given the single storey nature of the proposed extension, the considerable set-back of the extension down the side, and the high boundary wall along the Beaver Road elevation, coupled with the distance of the extension away from that rear boundary wall, the proposals would have limited public viewing points from either Fog Lane or Beaver Road, the materials to be used will be brick, however, these are to be of a contrasting pallet to those of the host property. As such a materials condition will be attached to any consent granted. It is not considered that the proposal would give rise to unacceptable impacts on the property itself, or the area within which it is located.

Other matters- Bins given the distance retained to the boundary, the bins could continue to be stored at the side or rear of the property.

Parking-is not impacted by the proposal. The property has a garage that is at the very bottom of the garden and is accessed from Beaver Road.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The application has been determined in a timely manner and in accordance with both local and national policies, and appropriate conditions have been attached.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

P001- Location Plan received 8th June 2022.

P.02LD P002-Proposed Site Plan received 8th June 2022

P.03GA P000-Proposed Ground Floor Plan received 8th June 2022

P.03GA E001-Proposed Southern Elevation received 8th June 2022

P.03GA E002-Proposed Western Elevation received 8th June 2022

P.03GA E003- Proposed Northern Elevation received 8th June 2022

P.03GA E004- Proposed Eastern Elevation received 8th June 2022

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) No development that is hereby approved shall commence unless and until samples and specifications of the proposed bricks to be used on the external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

7 Beaver Road, Manchester, M20 6SR
Flat 1, 49 Fog Lane, Manchester, M20 6AR
Flat 2, 49 Fog Lane, Manchester, M20 6AR
Flat 3, 49 Fog Lane, Manchester, M20 6AR
Flat 4, 49 Fog Lane, Manchester, M20 6AR
Flat 5, 49 Fog Lane, Manchester, M20 6AR
Flat 6, 49 Fog Lane, Manchester, M20 6AR
Flat 7, 49 Fog Lane, Manchester, M20 6AR
5 Beaver Road, Manchester, M20 6SR
2 Beaver Road, Manchester, M20 6SR
90 Fog Lane, Manchester, M20 6AG
47 Fog Lane, Manchester, M20 6AR
9 Beaver Road, Manchester, M20 6SR
3 Beaver Road, Manchester, M20 6SR
94 Fog Lane, Manchester, M20 6AG

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH